

DUWENIG et al., Serial No. 09/636,826

CLEAN VERSION OF AMENDMENTS

IN THE ABSTRACT

Replace the abstract on page 63 with the new abstract on the next page.

ABSTRACT

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To express selection genes and resistance genes, it would be desirable to have available plant constitutive promoters which has a strong uniform constitutive activity in as many plant tissues or cell types as possible and which, moreover, show an even stronger activity, or are not repressed, under stress conditions. The invention provides DNA constructs which encompass a plant V-ATPase promoter which is operatively linked with a heterologous gene. The invention furthermore relates to the use of these constructs in the form of expression cassettes, recombinant vectors and in transgenic plants, plant cells or protoplasts. In particular the invention relates to the promoter of the *Beta vulgaris* V-ATPase subunit c isoform 2.